

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

UNITED STATES OF AMERICA

v.

Criminal No. 3:19cr19

TROY GEORGE SKINNER,

Defendant.

ORDER

This matter comes before the Court on two uncontested motions: (1) Defendant Troy George Skinner's "Motion to Extend Motions in Limine Deadlines" (the "Skinner Motion"), (ECF No. 55); and, (2) the United States' "Unopposed Motion to Extend Time to File Expert Notice" (the "United States Motion"), (ECF No. 57). The United States responded to the Skinner Motion and stated that it "does not object to the" extension Skinner requested. (ECF No. 56.) The United States represented in its motion that Skinner "has no objection" to the extension the United States requests.

In the Skinner Motion, Skinner asks that the Court extend the deadline to file motions in limine and the corresponding responses and replies. He proposes the following schedule: motions in limine, October 18, 2019; responses, October 25, 2019, and replies, October 30, 2019. In support of the Skinner Motion, he states that both parties "have continued to investigate the allegations in this case" and that "[t]he defense is not prepared to file a complete list of motions in limine at this time due to these ongoing investigations." (Skinner Mot. ¶ 5, ECF No. 55.)

Skinner also states that the Court previously continued the trial date in this matter to November 12, 2019.¹

In the United States Motion, the United States asks the Court to extend the “time to file expert witness notices.” (U.S. Mot. 1, ECF No. 57.) The United States proposes October 4, 2019, as the new deadline for “the parties to provide their respective expert notices,” and October 29, 2019, as the new deadline for “notice[s] relating to any expert testimony offered in response to a previously-noticed expert.” (*Id.* 2.) In support of its motion, the United States asserts that “[t]he original FBI digital evidence forensic examiner assigned to the case recently retired, and a new FBI digital forensic examiner has been assigned to the case and is presently getting up to speed.” (*Id.* 1.) Further, the United States avers that “on or about September 3, 2019, . . . [it] received additional forensic evidence from law enforcement authorities in New Zealand,” which will require “preparation of an expert notice pertaining to the anticipated testimony of the New Zealand law enforcement officials” and “could have a bearing on the contents of the expert notice for the FBI digital forensic examiner.” (*Id.* 1–2.)

Upon due consideration, for good cause shown, and acknowledging the parties’ agreement, the Court GRANTS the Skinner Motion, (ECF No. 55), and the United States Motion, (ECF No. 57). Because the Court previously continued Skinner’s trial and did not issue an order rescheduling pre-trial deadlines based on the new trial date, the Parties SHALL abide by the following schedule. All filings SHALL be made no later than close of business on the date specified.

- (1) The Parties SHALL provide their respective expert notices, as described in paragraphs 5 and 8 of the Court’s July 15, 2019 Order, (ECF No. 54), no later than October 4, 2019. The Parties SHALL provide their respective

¹ The Court previously continued the trial date in this matter from September 16–20, 2019, to November 12–15, 2019, on motion from Skinner. (Mar. 19, 2019 Order 1–2, ECF No. 24.)

expert notices for any expert testimony offered in response to a previously-noticed expert, no later than October 29, 2019.

- (2) The Parties SHALL submit any desired motions in limine no later than October 18, 2019. Opposition to any motion in limine SHALL be filed no later than October 25, 2019. Replies to any opposition to any motion in limine SHALL be filed no later than October 30, 2019.
- (3) The Parties, jointly, SHALL submit agreed-upon proposed jury instructions and competing contested jury instructions no later than October 29, 2019. Objections to the contested proposed jury instructions SHALL be filed no later than November 5, 2019.
- (4) The Parties, jointly, SHALL submit agree-upon proposed voir dire and competing contested proposed voir dire no later than October 29, 2019. Objections to the contested proposed voir dire SHALL be filed no later than November 5, 2019.

It is SO ORDERED.

Date: 9/19/2019
Richmond, Virginia



M. Hannah Lauck
United States District Judge